First	Reading:
Second	Reading:

2016-053 Adamson Developers, LLC c/o Bobby Joe Adamson District No. 4 Planning Version

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PARTS OF PROPERTIES LOCATED AT 8062 AND 8074 OLD LEE HIGHWAY, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone parts of properties located at 8062 and 8074 Old Lee Highway, more particularly described herein:

All those parts of two unplatted tracts of land which are currently zoned R-2 and being parts of the properties described in Deed Book 8764, Page 973 and Deed Book 10580, Page 228, ROHC. Being parts of Tax Map Nos. 140-011 and 011.10.

and as shown on the maps attached hereto and made a part hereof by reference, from R-2 Residential Zone to R-3 Residential Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading:
CHAIRPERSON
APPROVED: DISAPPROVED:
<del></del>
MAYOR

/mem

#### RESOLUTION

WHEREAS, Adamson Developers, LLC/Bobby Joe Adamson petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning of parts of properties located at 8062 & 8074 Old Lee Highway from R-2 Residential Zone to R-3 Residential Zone.

All those parts of two unplatted tracts of land which are currently zoned R-2 and being parts of the properties described in Deed Book 8764, Page 973 and Deed Book 10580, Page 228, ROHC. Being parts of Tax Maps 140-011 and 011.10 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on April 11, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposal would be an extension of an existing zone.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on April 11, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,

John Bridger Secretary

# **ZONING APPLICATION FORM**

CASE NUMBER:	2016-053		Date Submitted: 2-19-2016			
(Sections 1-6 b	elow to be filled out by	Applicant- R	PA staff will	assist; if needed)		
1 Applicant Request						
Zoning	From: R-2 To: R-3					
	Total Acres in reques	st area: 2.459	Acres			
2 Property Information						
Property Address:	8062 & 8074 Old Lee	Highway				
Property Tax Map						
Number(s):	(Parts of) 140-011 &	011.10				
<b>3 Proposed Development</b>						
Reason for Request and/or						
Proposed Use:	Build Multi-family –	3 buildings &	1 Clubhouse			
4 Site Characteristics						
Current Zoning:	R-2					
Current Use:	Vacant					
Adjacent Uses:	Vacant, Residential 8	& Multi-family	У			
5 Applicant Information						
All communication will be w	with the Applicant. If th	e applicant is	not the pro	perty owner, the RPA		
requires a letter from the p	roperty owner(s) confi	rming that the	e applicant h	nas permission to file this		
application on his/her beha				72		
Name: Adamson Developer	s LLC/Bobby Joe	Address: 81	51 Leon Brei	nda Lane		
Adamson						
Check one:	x I am the propert		I am <b>not</b> the property owner			
City: Ooltewah State			Email: adar	nsondev@comcast.net		
	hone 2: 423-421-0967	Phone 3:		Fax:		
6 Property Owner Informat	tion (if not applicant)					
Name: Same		Phone:				
Address:						
Office Use Only:				接着1.48140.3416.5416		
Planning District: 12		Neighborhood: CNAC, BEBC, FOEB, Ooltewah Jamestown				
Hamilton Co. Comm. District: 5		cil District: 4 Other Municipality: gislative Action/Date/Ordinance:				
Staff Rec: PC Action/	Date: Leg	distative Action	/Date/Ordina	ince.		
x Application Complete x	Ownership	x Map of	Proposed 70t	ning Area with dimensions		
x   Application Complete   x	Verification	x Map of Proposed Zoning Area with dimension				
x Site Plan, if required x		idered: 2.459	x Deeds	x   Plats, if applicable		
Deed Book(s): 10580-228 & 87	64-973					
Plat Book/Page: 47-82		x Notice S		Number of Notice Signs: 1		
x Filing Fee: 295.00	Cash		x Check	Check Number: 1007		
Planning Commission meeting	date: 4-11-16	Application	processed by	y: Pattie Dodd		

## PLANNING COMMISSION CASE REPORT

Case Number: 2016-053 PC Meeting Date: 04-11-16

Applicant Request	
Rezone from R-2 Resider	tial Zone to R-3 Residential Zone
Property Location:	8062 & 8074 Old Lee Highway
Property Owner:	Adamson Developers LLC/Bobby Joe Adamson
Applicant:	Adamson Developers LLC/Bobby Joe Adamson

### **Project Description**

- Proposal: Develop 2.5-acre site with 84 apartment units with a clubhouse as part of the larger 24 acre apartment complex proposed on adjacent parcels.
- Proposed Access: Entrance on Old Lee Highway Road.
- Proposed Development Form: multi-story apartment buildings with club house set back from Old Lee Highway.
- Proposed Density: Approximately 34 dwelling units per acre within the 2.5-acre portion of the
  project being rezoned. The overall density for the entire 24 acres is proposed to be 17.6 dwelling
  units per acre.

### Site Analysis

## **Site Description**

- Location: The site is located on the south side of Old Lee Highway Street approximately 250 feet west from the Lillie Lane and Old Lee Highway intersection.
- Current Access: Entrance on Old Lee Highway Road.
- Tennessee Department of Transportation Functional Classification: Old Lee Highway is designated an Urban Minor Arterial.
- Current Development form: There is a mixture of small lot single-family subdivision, large lot heavily vegetated single-family dwellings, and vacant lots.
- Current Land Uses: The properties to the north are vacant. The properties to the east and west are vacant or have single-family dwellings. The properties to the south are owned by the developer and part of the planned apartment complex being proposed in this case.
- Current Density: The area does not have a consistent density based on lots within 250' of the site ranging in sizes. Residential parcels range from 6.25 acres (0.16 dwelling units per acre) to 0.4 acres (2.5 dwelling units per acre).

#### **Zoning History**

- The site is currently zoned R-2 Residential Zone.
- The properties to the north are zoned R-2 Residential Zone and C-2 Convenience Commercial Zone. The properties to the east are zoned R-2 Residential Zone and R-3 Residential Zone. The properties to the south were rezoned R-3 Residential Zone in 2014 (Ordinance #12886). The property to the west is zoned R-2 Residential.
- The nearest R-3 Residential Zone (same as the request) is adjacent to the site on its southern property line and eastern property line.

## Plans/Policies/Regulations

- The 2013 Plan (adopted by City Council Date) recommends Light Retail for this site. Light Retail is defined as offices or neighborhood retail.
- The R-3 Multi-family Residential District permits all types of residential uses.

#### Key Findings

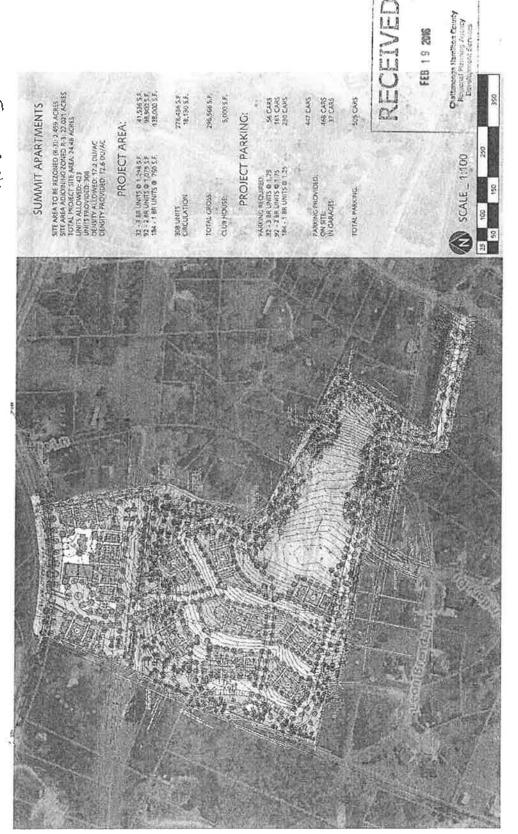
• While the adopted Land Use Plan for the area recommends light retail for this site, the proposed multifamily residential development may be a compatible use at this site based on recently approved zoning changes abutting the site which fronts an Urban Minor Arterial.

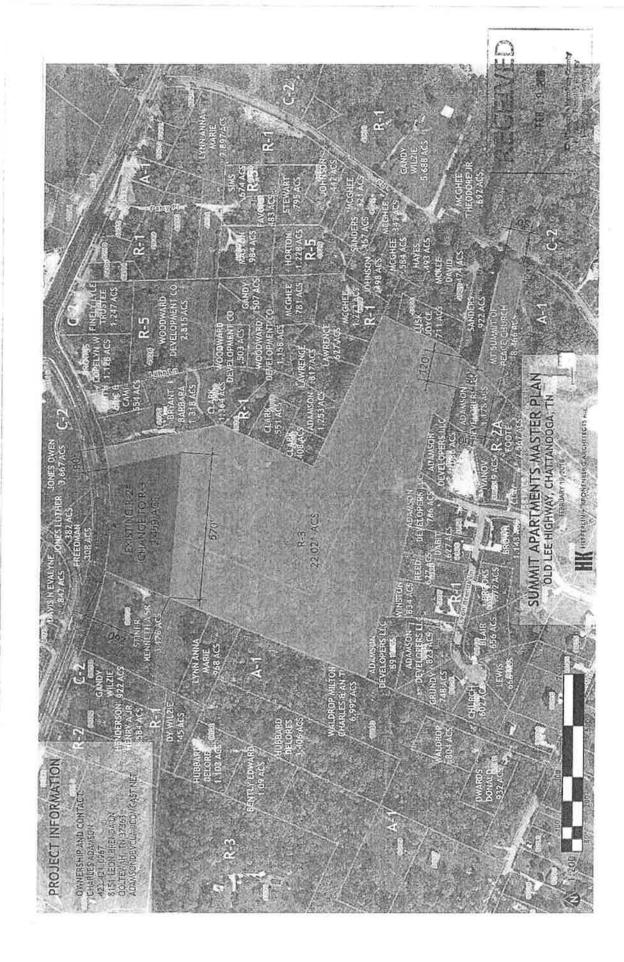
## PLANNING COMMISSION CASE REPORT

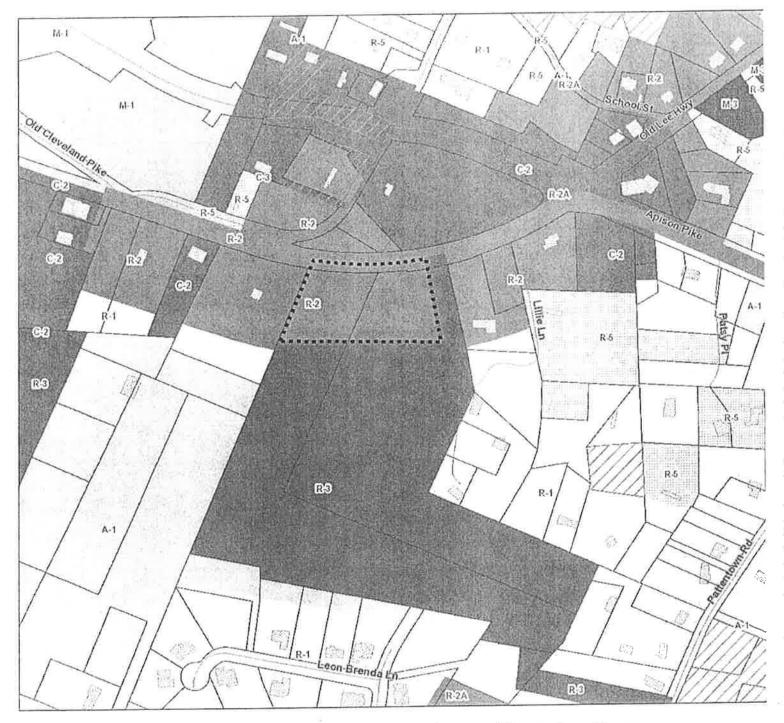
- The current proposal would be an extension of a proposed multi-family residential development which was approved in 2014 and would be consistent with the development form proposed for that project.
- While the proposed residential density is higher than the surrounding densities, it would be compatible with the adjacent multi-family residential density approved in 2014.
- The proposed structures raise concerns regarding location, lighting, or height to neighboring residential uses.
- The proposal would be an extension of an existing zone.

Staff Recommendation

Approve







# 2016-053 Rezoning from R-2 to R-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-053: Approve



326 ft







## NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

<u>2016-049 Sonja Y. Benning.</u> 109 Workman Road, from M-1 Manufacturing Zone to R-1 Residential Zone.

<u>2016-051 Duane Carleo and Mark Neal.</u> 24 East 14<sup>th</sup> Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

<u>2016-052 David J. Kluttz.</u> 5277 Wilbanks Road, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

<u>2016-053 Adamson Developers.</u> 8062 and 8074 Old Lee Highway, from R-2 Residential Zone to R-3 Residential Zone.

<u>2016-054 Chambliss Center for Children.</u> 402 and 406 Gillespie Road, from R-1 Residential Zone to R-2 Residential Zone.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2016-048 Sunnyside Properties, LLC. 4820 Oakland Avenue, from M-1 Manufacturing Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, recommending denial for the R-T/Z Residential Townhouse Zero Lot Line and approved for R-1 Residential Zone, subject to one single-family residential dwelling only.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that Condition No. 4 be lifted from Ordinance No. 12867 of Previous Case No. 2014-094 on property located at 7408 Bonny Oaks Drive.

- 4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:
  - (a) Amending Section 38-2, Definitions, by adding definitions for Animal day care facility; Animal, domestic; Animal, small; Animal grooming service; Animal run; and Kennel.
  - (b) Amending Section 38-184, Uses permitted as special exceptions by the board of appeals, by deleting subsection (7) in its entirety and substituting in lieu thereof.
  - (c) Amending Section 38-204, Uses permitted as special exceptions by the board of appeals, by deleting subsection (7) in its entirety and substituting in lieu thereof.
  - (d) Amending Section 38-302, Uses permitted as special exceptions by the board of appeals, by deleting subsection (6) in its entirety and substituting in lieu thereof.
  - (e) Amending Section 38-568, Powers, etc., of board; hearings, by deleting subsection (12) in its entirety and substituting in lieu thereof.
  - (f) Amending Section 38-361(3), Areas included, by deleting in its entirety and substituting in lieu thereof.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

## May 10, 2016

at 6:00 p.m.	for the purpos	se of hearing a	ny person	whose	property	may b	e affected	by, o	r who
may otherw	rise be intereste	ed in, said ame	ndments.						

This the	day of	, 2016.	
		Nicole Gwyn	
		Clerk to the City Council	